

BOROUGH OF RIDGEFIELD

A G E N D A

Work Session, Executive Session and Regular Meeting of the Mayor and Council

Date: December 8, 2014

Open Public Meetings Statement by  
Mayor Suarez

Work Session: 5:30 P.M. C.T.O.:  
Adjourn:

- Presentation by Sitex Group, LLC, a prospective developer of the property owned by Simkins Industries, locally known as the Lowe Paper Company property

Mayor Suarez – Adjournment into closed Executive Session in accordance with the “Open Public Meetings Act”

Executive Session: 6:30 P.M. C.T.O.:  
Adjourn:

Public Session: 7:30 P.M. C.T.O.:  
Adjourn:

Pledge of Allegiance

Citizens Comment on Agenda:

Correspondence: Letter to Board of Education from S. Pellino regarding Secure Our School Grant

**ROLL CALL-WORK SESSION**

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Acosta		
Penabad		
Shim		
Todd		
Vincentz		

**ROLL CALL-EXEC. SESSION**

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Acosta		
Penabad		
Shim		
Todd		
Vincentz		

**ROLL CALL-PUBLIC SESSION**

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Acosta		
Penabad		
Shim		
Todd		
Vincentz		

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Swearing in of Police Officer

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**PROPOSED CONSENT AGENDA:**

286-2014	Councilman Castelli	Appointment of Borough Clerk
287-2014	Councilman Acosta	Exceed Bid Threshold-Beyer Brothers, Inc.
288-2014	Councilman Acosta	Reduction in Assessed Valuations

289-2014 Councilman Acosta Redemption Tax Title Lien #13-01  
 290-2014 Councilman Acosta Municipal Charges-Clean Up Costs  
 291-2014 Councilman Acosta Adjusted Assessment-373 Morse Avenue

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

**RESOLUTIONS:**

292-2014 Councilman Acosta Transfer of Appropriations  
 293-2014 Councilman Acosta Warrants

**COMMENTS BY MAYOR:**

**Application for Social Affair Permit:**  
 Senior Citizens Organization of Ridgefield  
 725 Slocum Avenue  
 December 31, 2014-January 1, 2015

**N.J. State Firemen's Association Membership Application:**  
 Victor Galfo  
 558 Broad Avenue  
 Company No. 3

**COMMENTS BY COUNCILMEN:**

**COMMENTS BY CITIZENS:** (All speakers are limited to five minutes maximum per meeting)

Agenda subject to change as a result of matters not known at time of printing with the consent of the Mayor and Council.

Respectfully submitted,

Linda M. Silvestri,  
 Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 8, 2014

Presented by Mayor Suarez

BE IT RESOLVED, that the regular public meeting be adjourned, and that the Mayor and Council of the Borough of Ridgefield shall meet in a closed Executive Session following a five minute recess at the termination of this meeting. The purpose of the Executive Session shall be to discuss the following matters:

- \_\_\_\_\_ Personnel matters in various departments of the Borough.
- \_\_\_\_\_ Pending and Potential Litigation
- \_\_\_\_\_ Tax Court Litigation.
- \_\_\_\_\_ Potential real estate transactions in which the Borough may engage.

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

BE IT FURTHER RESOLVED, that as soon as practicable discussion concerning

- \_\_\_\_\_ Personnel matters
- \_\_\_\_\_ Potential real estate transactions shall be disclosed to the public.
- \_\_\_\_\_ And that discussions with the Borough Attorney concerning litigation shall be disclosed when said litigation is terminated.

Adjournment to Closed Session. The Mayor and Council reserve the right to reconvene into Public Session, if necessary, to take action on Closed Session items.

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

*Basile Birchwale and Pellino, LLP*  
Counselors At Law

865 BROAD AVENUE  
P.O. BOX 434  
RIDGEFIELD, NEW JERSEY 07657

PAUL L. BASILE (1915-1997)  
ALBERT H. BIRCHWALE  
STEPHEN F. PELLINO  
ANTHONY P. CIALONE\*

FLORENCE D. NOLAN\*\*  
OF COUNSEL

\*MEMBER OF N.J. AND D.C. BARS  
\*\*MEMBER OF N.J. AND N.Y. BARS

TEL. (201) 945-8812  
(201) 945-3736  
FAX. (201) 945-8934  
E-MAIL: law@bbplawyers.com

December 1, 2014

Ms. Deborah Fugnetti  
President  
Ridgefield Board of Education  
555 Chestnut Street  
Ridgefield, New Jersey 07657

Dear Ms. Fugnetti:

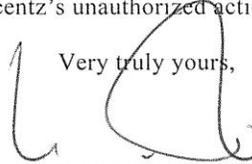
As you know, I serve as the Borough Attorney for the Borough of Ridgefield. I have been directed by the Mayor and Council to write to you regarding the Secure Our School Grant, a grant that the Borough helped arrange on behalf of the Ridgefield Board of Education. The Borough's check in the amount of \$46,188, representing the proceeds of this grant, was approved by the Mayor and Council on August 18, 2014. From what the Mayor and Council has been able to determine, on or about that date the check was retrieved from the Ridgefield Finance Office by Councilman Warren Vincentz without the authorization of the Mayor and Council and without that body's knowledge. From what the Mayor and Council has been able to determine, Councilman Vincentz, for reasons unknown, held that check until he presented same to the Board of Education at its regular meeting on September 11, 2014. This was also without the authorization or knowledge of the Mayor and Council. Based on a review of the Board's minutes from that meeting, it appears that Councilman Vincentz gave the impression that he alone was responsible for securing the grant and had been authorized to deliver same to the Board of Education.

The Mayor and Council has asked me to write to you because it appears, based on the minutes of your September 11<sup>th</sup> meeting, that there is some confusion as to the circumstances surrounding this grant and the delivery of the funds to the Board. The grant was the result of the collective effort of the Mayor and Council and the Ridgefield Police Department. Normal procedures within the Borough are that the check should have been mailed on or about August 18, 2014 to the Board's offices. Councilman Vincentz was not authorized by the Council to deliver this check and, in fact, it was only recently that the other members of the Mayor and Council even became aware that he had taken this action.

Deborah Fugnetti  
December 1, 2014  
Page 2 of 2

For the Board's information, the Mayor and Council did adopt a resolution censuring Councilman Vincentz for his conduct in this matter. The Mayor and Council has also directed its Finance Department that in the future checks of this nature will be mailed directly to the recipient unless the entire Mayor and Council has authorized a different procedure. The Mayor and Council apologizes if any misunderstanding or confusion has been created as a result of Councilman Vincentz's unauthorized actions in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Stephen F. Pellino', written over the closing text.

Stephen F. Pellino

SFP:cas  
cc: Mayor and Council, Borough of Ridgefield

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 8, 2014

Presented by Councilman Castelli

RESOLUTION NO. 286-2014

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that

LINDA SILVESTRI

is hereby re-appointed as Municipal Clerk, pursuant to the provisions of NJSA 40A:9-133, for a three year term commencing on November 28, 2014.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 8, 2014

Presented by Councilman Acosta

RESOLUTION NO. 287-2014

WHEREAS, the Borough of Ridgefield has entered into a Cooperative Purchasing Agreement with the State of New Jersey, Division of Purchase and Property; and

WHEREAS, Beyer Brothers, Inc., was awarded a State Contract Number 73697 for Automotive Parts for Heavy Duty Vehicles for the period March 18, 2009 through March 7, 2015; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-2) contains a bid threshold of \$36,000.00; and

WHEREAS, this threshold may be exceeded by Resolution for municipalities that are members of Cooperative Purchasing Agreements; and

WHEREAS, the Borough of Ridgefield will exceed \$36,000.00 for the purchase of Automotive Parts for Heavy Duty Vehicles in the Calendar Year 2014:

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer be authorized to contract for the purchase of Automotive Parts for Heavy Duty Vehicles from Beyer Brothers, Inc., through the New Jersey State Contract without public bidding.

Approved:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

Attest:

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 8, 2014

Presented by Councilman Acosta

RESOLUTION NO. 288-2014

WHEREAS, reductions in assessed valuation for the year 2014 were granted by the Bergen County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that refunds be issued in accordance with the following schedule:

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
401	3	Lee, Sungjae & Eunkyung 1031 Maple Avenue Ridgefield, New Jersey 07657	\$207.80
710	2	Richard Hubschman, Jr Esq Attorney for KSY Inc NJ Corp 460 Bergen Boulevard Suite 230 Palisades Park, New Jersey 07650	\$7,871.25
1905	6.01	Llanos, Mario & Diamela 571 Stewart Street Ridgefield, New Jersey 07657	\$883.68
1909	12	Ventre, Anthony & Carol 533 Art Lane Unit A Ridgefield, New Jersey 07657	\$789.22
2204	13	Martucci, Ronald C. 589 Prospect Avenue Ridgefield, New Jersey 07657	\$83.96
2204	15	Eguino, Damaris A. 7524 Kennedy Boulevard North Bergen, New Jersey 07047	\$677.98
2703	3.01	Lofaro Developers, LLC 1566 John Street Fort Lee, New Jersey 07024	\$1,269.90

3305	5	Cruz, Allen & Mendez, Digna 365 Shaler Boulevard Ridgefield, New Jersey 07657	\$749.34
3702	6	Kim, Sungmin & Yunho 791 Pleasantview Terrace Ridgefield, New Jersey 07657	\$497.46

BE IT FURTHER RESOLVED, that the Chief Financial Officer/Treasurer be and he is hereby authorized to issue and mail the refund checks in accordance with the above schedule or as requested by the Petitioner's Attorney.

**COUNCIL VOTE**

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 8, 2014

Presented by Councilman Acosta

RESOLUTION NO. 289-2014

WHEREAS, Capital One Bank has deposited a check in the amount of \$31,555.01 into the Suspense Account for the redemption and subsequent taxes of Tax Lien # 13-01, Block 105 Lot 22, further known as 790 Norman Road, sold to Stonefield Investment Fund II, LLC and whereas \$27,000.00 was previously deposited into the Trust Account for the premium at the time of the tax sale;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer be and he is hereby authorized to issue and sign a check in the amount of \$31,555.01 from the Suspense Account and a check for \$27,000.00 from the Trust Account.

BE IT FURTHER RESOLVED that the check in the amount of \$31,555.01 be drawn on the Borough of Ridgefield Suspense account and the check for \$27,000.00 be drawn on the Borough of Ridgefield Trust account and be made payable to Stonefield Investment Fund II, LLC and be mailed to 21 Robert Pitt Drive #202, Monsey, NY 10952.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 8, 2014

Presented by Councilman Acosta

RESOLUTION NO. 290-2014

WHEREAS, the Borough of Ridgefield received numerous complaints in regard to the disrepair and/or abandonment of certain properties; and

WHEREAS, the aforesated facts were confirmed upon inspection by the Property Maintenance Department; and

WHEREAS, Property Maintenance notified the owners that the properties needed to be cleaned up and maintained and the owners did not respond; and

WHEREAS, in order to preserve the health, safety and welfare of the adjacent neighbors and all municipal residents the Borough of Ridgefield hired vendors for emergency cleanup of said properties; and

WHEREAS, the owners of these properties were given ample time to respond and pay the clean up fees and have not done so;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council directs Tax Collector Frank Berardo to place Municipal Charges upon the said property for the clean-up costs incurred by the Borough of Ridgefield according to the following schedule:

472 Chestnut Street	Block 2602 Lot 18	\$250.00
628 Elm Avenue	Block 206 Lot 4	\$755.00
505 Oak Street	Block 2007 Lot 2	\$300.00

Approved:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

Attest:

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 8, 2014

Presented by Councilman Acosta

RESOLUTION NO. 291-2014

WHEREAS, Marc D. Ramundo, Esq., representing Domenico & Filomena Vaccaro, has filed a tax appeal challenging assessments at 373 Morse Avenue, Block 3804, Lot 2;

WHEREAS, the original assessment in issue is:

LAND: Two Hundred Thirteen Thousand Six Hundred (\$213,600.00) Dollars  
IMPROVEMENTS: Six Hundred Forty-Six Thousand Four Hundred (\$646,400.00) Dollars  
TOTAL: Eight Hundred Sixty Thousand (\$860,000.00) Dollars

WHEREAS, the parties have exchanged discovery and appraisal reports and have entered into settlement discussions and proposed settlement;

NOW, THEREFORE, BE IT RESOLVED by the Governing body that it does hereby authorize and approve a proposed settlement as follows:

1. Adjusted assessment for 2013 at:

LAND: Two Hundred Thirteen Thousand Six Hundred (\$213,600.00) Dollars  
IMPROVEMENTS: Five Hundred Eighty Six Thousand Four Hundred (\$586,400.00) Dollars  
TOTAL: Eight Hundred Thousand (\$800,000.00) Dollars

2. That the Special Tax Attorney is hereby authorized and directed to execute a Stipulation of Settlement for filing with the Tax Court;
3. That the Tax Collector is hereby authorized and directed, upon receipt of the Tax Court Judgment, to calculate the amount of the refund and cause same to be paid to the taxpayer, without statutory interest, within sixty (60) days from the date of the Tax Court Judgment;
4. That the within settlement is subject to review and approval thereof by the taxpayer.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 8, 2014

Presented by Councilman Acosta

RESOLUTION NO. 292-2014

Transfer Resolution #2

WHEREAS, N.J.S.A. 40A:4-58 allows appropriation transfers during the last two months of the calendar year should it become necessary to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefor and there shall an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient; no transfers may be made to appropriations for contingent expenses or deferred charges.

WHEREAS, the Mayor and Council of the Borough of Ridgefield are desirous of executing such transfers:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer is herewith directed to execute the following Calendar Year 2014 budget appropriation transfers:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Sanitation		
Salaries & Wages	\$ 2,000	
DPW		
Salaries & Wages	15,000	
Fire Dep't Clothing Allowance	12,000	
Insurance: Employee Health	10,000	
Financial Administration		
Salaries & Wages	5,000	
Emergency Management		
Salaries & Wages	2,300	
Recycling		
Salaries & Wages		\$ 2,000
Financial Administration		
Other Expenses		5,000
Public Library Contribution		10,000

Maintenance of Vehicles		
Public Works		10,000
Fire Dep't		12,000
Contingent Liabilities		5,000
B.C. Council on Drug & Alcohol, Local Share		2,300
	<u>\$ 46,300</u>	<u>\$ 46,300</u>

POOL

	<u>FROM</u>	<u>TO</u>
Operating		
Salaries & Wages	\$ 325	\$
F.I.C.A.	1,200	
Other Expenses		1,525
	<u>\$ 1,525</u>	<u>\$ 1,525</u>

**COUNCIL VOTE**

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

The undersigned, being the Chief Financial Officer of the Borough of Ridgefield, County of Bergen, New Jersey, and the person charged with the responsibility of maintaining financial records of said Borough in accordance with N.J.S.A. 40:4-57 and the rules of the Local Finance Board of the State of New Jersey adopted thereunder, does hereby certify that there are adequate funds available for the payment of the attached list of invoices, duly adopted by said Borough, and which said list indicates the specific line item of said budget to which expenditures shall be charged.

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Frank Berardo,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 8, 2014

Presented by Councilman Acosta

RESOLUTION NO. 293-2014

BE IT RESOLVED, that warrants totaling **\$2,200,673.98**  
be drawn on the following accounts:

CURRENT	\$2,132,125.55
TRUST	\$45,167.50
CAPITAL	\$22,110.00
POOL	\$76.66
DOG LICENSE	\$1,194.27
<b>TOTAL</b>	<b>\$2,200,673.98</b>

**COUNCIL VOTE**

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk